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TRANSMITTAL FORM

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Total Number of Pages in This Submission

11

Application Number 10/677,399

Filing Date 10/01/2003

First Named Inventor David V. Smith

Art Unit 3643

Examiner Name Swiatek, Robert P.

Attorney Docket Number HM-87423

ENCLOSURES (Check all that apply)

- | | | |
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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
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Supplemental Response to April 6, 2004 Office Action | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name Nordman, Cormany, Hair & Compton
Jeffrey F. Craft

Signature

Date August 12, 2004

CERTIFICATE OF TRANSMISSION/MAILING

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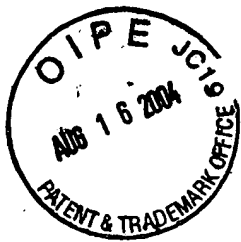
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No: 10/677,399)
)
Applicant: David V. Smith) Robert P. Swiatek
) Patent Examiner
Filed: October 1, 2003) Art Unit 3643
)
Title: ELECTRIC FISH BARRIER)
FOR WATER INTAKES AT)
VARYING DEPTHS)
)
Atty Dkt No.: HM-87423)
)

SUPPLEMENTAL RESPONSE
TO APRIL 6, 2004 OFFICE ACTION

Mail Stop - NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In supplemental response to the Office Action dated April 6, 2004 and the Notice of Informality re Payment of Fee dated July 19, 2004, please consider the following amendments and remarks as an amendment to our Rule 111 Amendment "A" Response mailed July 2, 2004. This Supplemental Response is filed to cancel and not merely withdraw claims 1-26 and, in addition, to cancel claim 47.

Amendments to the Specification: Begin on page 2 of this paper.
Amendments to the Claims: Begin on page 3 of this paper.
Remarks: Begin on page 8 of this paper.